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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

6 * * *

7 CATHY WHITE,

8 Plaintiff(s),

Case No. 2:18-CV-504 JCM (CWH)

ORDER

9 v.

10 NANCY A. BERRYHILL,

11 Defendant(s).

12
13 Presently before the court is Magistrate Judge Hoffman's report and recommendation
14 ("R&R") in the matter of *White v. Berryhill*, case number 2:18-cv-00504-JCM-CWH. No
15 objections have been filed, and the deadline for doing so has passed.

16 Magistrate Judge Hoffman notes in his report and recommendation that plaintiff has failed
17 to comply with the court's order dated May 24, 2018, (ECF No. 3) which required her to file an
18 amended complaint by June 25, 2018. (ECF No. 5 at 1). In light of plaintiff's failure to take any
19 action in this case since the court issued its May 24, 2018, order, Magistrate Judge Hoffman
20 concludes that plaintiff "appears to have abandoned this case." *Id. See also Martinez v. Ylst*, 951
21 F.2d 1153, 1157 (9th Cir. 1991) (holding that failure to file a timely objection may waive the right
22 to appeal the district court's order). Therefore, Magistrate Judge Hoffman recommends that
23 plaintiff's case be dismissed without prejudice. (ECF No. 5 at 1).

24 This court "may accept, reject, or modify, in whole or in part, the findings or
25 recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects
26 to a magistrate judge's report and recommendation, then the court is required to "make a de novo
27 determination of those portions of the [report and recommendation] to which objection is made."
28 28 U.S.C. § 636(b)(1).

Where a party fails to object, however, the court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s report and recommendation where no objections have been filed. *See United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review employed by the district court when reviewing a report and recommendation to which no objections were made).

Nevertheless, this court conducted a *de novo* review to determine whether to adopt the recommendation of the magistrate judge. Upon reviewing the recommendation and underlying briefs, this court finds good cause appears to adopt the magistrate judge's findings in full.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Magistrate Judge Hoffman's report and recommendation (ECF No. 5) are ADOPTED in their entirety.

IT IS FURTHER ORDERED that plaintiff's case be DISMISSED, without prejudice.

The clerk of court is instructed to enter judgment accordingly and close the case.

DATED November 15, 2018.

James C. Mahan
UNITED STATES DISTRICT JUDGE